

REMARKS

Applicant, by the amendments presented above, has made a concerted effort to present claims which clearly define over the prior art of record, and thus to place this case in condition for allowance.

Claim Rejections

In the Office Action, the Examiner rejected claims 1, 5, 7-14, 18, 20 and 21 under 35 U.S.C. §102(c) as being anticipated by United States Patent No. 5,997,193 (Petterutti et al.) and also rejected claims 23 and 24 under 35 U.S.C. §102(e) as being anticipated by United States Patent No. 6,236,486 (Nocker, IV). The Examiner also rejected claims 2-4, 6, 15-17, 19 and 22 under 35 U.S.C. §103(a) citing several United States Patent Nos. 5,997,193 (Petterutti et al.), 6,327,677 (Garg et al.), 5,267,800 (Petterutti et al.), 5,524,993 (Durst), and 5,579,449 (Strobel).

Petterutti et al. '193 is the primary reference cited against most of the claims. Petterutti et al. '193 discloses that a printer transmits status information to a terminal (col. 3, lines 63-765), and that the printer downloads an application program from a terminal host upon start up (see col. 7, lines 9-31 and Fig. 6). The reference does not disclose interactively and remotely viewing and changing printer settings. The reference also does not disclose viewing and modifying a label format remotely, or even transmitting a label format out of the printer. The reference does not disclose interactively viewing and controlling printer settings, files, formats, and printed output via the Internet and a browser, or even by a terminal.

Serial No.: 09/642,538
Art Unit: 2622
Page 8

Claims 1-24 are pending. Of these, claims 1, 7, 11, 15, 18, 22 and 23 are independent.

Claim 1 was rejected under 35 U.S.C. §102(e) as being anticipated by United States Patent No. 5,997,193 (Petterutti et al.). Claim 1 recites a printer which is configured to print labels, tags or the like, and comprises: a housing; and electronics in the housing configured to determine a condition of the printer, and thereafter automatically transmit data corresponding to the condition to a remote location over at least one of an Intranet, the Internet and a wireless communication network. Claim 1 has been amended to further specifically claim that the electronics is configured such that the printer can thereafter be reprogrammed remotely without having to re-power the printer. As such, a condition of the printer is determined, and reported remotely via an Intranet, the Internet and/or a wireless communication network. Then, a user can reprogram the printer remotely (such as in response to the condition which was reported) without having to re-power the printer.

In contrast, while Petterutti et al. '193 discloses that a printer transmits status information to a terminal (col. 3, lines 63-765), and that the printer downloads an application program from a terminal host upon start up (see col. 7, lines 9-31 and Fig. 6). The reference does not teach a printer which includes electronics which is configured such that the printer automatically transmits data corresponding to a condition to a remote location over an Intranet, the Internet and/or a wireless communication network, and that thereafter the printer can be reprogrammed remotely without having to re-power the printer.

Serial No.: 09/642,538

Art Unit: 2622

Page 9

Applicant respectfully submits that amended claim 1 is distinguishable from that which is disclosed in Petterutti et al. '193, and respectfully submits that claim 1, and those claims which depend therefrom, are patentable.

Independent claim 7 was also rejected based on Petterutti et al. '193. Applicant believes that claim 7, as originally filed, is patentable over Petterutti et al. '193. As originally filed, claim 7 specifically claimed a printer which includes electronics configured to provide that a label format stored in the printer is either viewable or modifiable at a remote location. In citing Petterutti et al. '193, the Examiner correlated viewing or modifying a label format from a remote location (i.e., what is claimed) with a printer remotely receiving data to be printed (Petterutti et al. '193 - col. 7, lines 9-14 and col. 8, lines 5-15). Applicant respectfully submits that a label format is distinguishable from the data to be printed as disclosed in Petterutti et al. '193, and that Petterutti et al. '193 does not disclose or suggest the remote viewing or modification of a label format.

Nevertheless, claim 7 has been amended to specifically claim a printer which includes electronics configured to provide that a label format stored in the printer is both viewable and modifiable at a remote location. This functionality and structure certainly is not disclosed or suggested by Petterutti et al. '193.

Applicant respectfully submits that claim 8, which depends from claim 7, is further distinguishable from that which is disclosed in Petterutti et al. '193. Claim 8 claims that a label format stored in the printer is at least one of viewable and modifiable via at least one of a personal computer connected to the Internet, a Personal Communications Service (PCS) phone and a Personal Digital Assistant (PDA). In rejecting claim 8, the Examiner cited col. 7, lines 9-

Serial No.: 09/642,538
Art Unit: 2622
Page 10

13 of Petterutti et al. '193. At col. 7, lines 9-13, Petterutti et al. '193 explains that the printer receives data to be printed from a host computer. Applicant respectfully submits that what Petterutti et al. '193 discloses is distinguishable from, and does not suggest, providing that the printer is configured such that a label format stored in the printer is viewable and/or modifiable via a personal computer connected to the Internet, a Personal Communications Service (PCS) phone and/or a Personal Digital Assistant (PDA).

Applicant respectfully submits that claim 9, which depends from claim 7, is further distinguishable from that which is disclosed in Petterutti et al. '193. Claim 9 claims that the printer is configured to provide that the label format stored in the printer is at least one of viewable and modifiable using a web browser on a personal computer connected to at least one of the Intranet and the Internet. In rejecting claim 9, the Examiner cited col. 7, lines 9-13 of Petterutti et al. '193. At col. 7, lines 9-13, Petterutti et al. '193 explains that the printer receives data to be printed from a host computer. Applicant respectfully submits that what Petterutti et al. '193 discloses is distinguishable from, and does not suggest, providing that a label format stored in the printer is viewable and/or modifiable using a web browser on a personal computer connected to an Intranet and/or the Internet.

Independent claim 11 has been amended such that it now specifically claims a printer which includes electronics configured to provide that the printer is programmable and controllable from a remote location over an Intranet, the Internet and/or a wireless communication network without having to re-power the printer.

In contrast, Petterutti et al. '193 discloses a printer which downloads an application program from a terminal host upon start up (see col. 7, lines 9-31 and Fig. 6). The reference does

Serial No.: 09/642,538
Art Unit: 2622
Page 11

not teach a printer which includes electronics which is configured such that the printer can be programmed and controlled from a remote location over an Intranet, the Internet and/or a wireless communication network without having to re-power the printer.

Applicant respectfully submits that amended claim 11 is distinguishable from that which is disclosed in Petterutti et al. '193, and respectfully submits that claim 11, and those claims which depend therefrom, are patentable.

Independent claim 15 specifically claims a printer which includes electronics configured to provide that the printer receives a barcode rendering algorithm through a port. In rejecting claim 15, the Examiner cited a combination of Petterutti et al. '193 and Durst '993. In doing so, the Examiner contended that Durst discloses receiving a barcode rendering algorithm through a port, and specifically pointed to col. 4, lines 57-64. Col. 4, lines 57-64 of Durst mentions that the invention uses algorithms as opposed to lookup tables. However, it does not appear that Durst discloses or suggests receiving a barcode rendering algorithm through a port.

Applicant respectfully submits that claim 15 is distinguishable from that which is disclosed in Petterutti et al. '193 and Durst '993, and respectfully submits that claim 15, and those claims which depend therefrom, are patentable.

Independent claim 18 specifically claims a printer which includes electronics configured to provide that settings of the printer are viewable and modifiable from a remote location over an Intranet, the Internet and/or a wireless communication network without having to re-power the printer.

In contrast, Petterutti et al. '193 discloses a printer which downloads an application program from a terminal host upon start up (see col. 7, lines 9-31 and Fig. 6). The reference does

Serial No.: 09/642,538

Art Unit: 2622

Page 12

not teach a printer which includes electronics which is configured such that the printer can be programmed and controlled from a remote location over an Intranet, the Internet and/or a wireless communication network without having to re-power the printer.

Applicant respectfully submits that amended claim 18 is distinguishable from that which is disclosed in Petterutti et al. '193, and respectfully submits that claim 18, and those claims which depend therefrom, are patentable.

Independent claim 22 specifically claims a method which includes providing a user with a printer, posting a plurality of barcode rendering algorithms on the Internet, and allowing the user to download the barcode rendering algorithms and forward the barcode rendering algorithms to the printer over an Intranet, the Internet and/or a wireless communication network without having to re-power the printer.

In contrast, Petterutti et al. '193 discloses a printer which downloads an application program from a terminal host upon start up (see col. 7, lines 9-31 and Fig. 6). The reference does not teach a printer which includes electronics which is configured such that the printer can be programmed and controlled from a remote location over an Intranet, the Internet and/or a wireless communication network without having to re-power the printer.

Applicant respectfully submits that amended claim 22 is distinguishable from that which is disclosed in Petterutti et al. '193, and respectfully submits that claim 22, and those claims which depend therefrom, are patentable.

Claims 23 and 24 were rejected under under 35 U.S.C. §102(e) as being anticipated by United States Patent No. 6,236,486 (Nocker, IV). Applicant respectfully traverses. Claim 23 specifically claims uploading from one printer data corresponding to settings of the printer, and downloading the data to a plurality of printers to clone the printers, wherein settings of the printers are the same. While Nocker, IV discloses cloning, Nocker, IV does not disclose or suggest initially obtaining the data by uploading the data from a printer.

Additionally, claim 23 has been amended to specifically claim that the printers are in a network. While Nocker, IV discloses cloning, Nocker, IV does not disclose or suggest initially obtaining the data by uploading the data from a printer in a network, and then downloading the data to a plurality of printers in the network to clone the printers.

Applicant respectfully submits that claim 23 is distinguishable from that which is disclosed in Nocker, IV '486, and respectfully submits that claims 23 and 24 are patentable.

Should the present claims not be deemed adequate to effectively define the patentable subject matter, the Examiner is respectfully urged to call the undersigned attorney of record to discuss the claims in an effort to reach an agreement toward allowance of the present application.

Respectfully submitted,

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By: 

Raiford A. Blackstone, Jr., Reg. No. 25,156

James R. Foley, Reg. No. 39,979

Attorneys for Applicant

TREXLER, BUSHNELL, GIANGIORGI,
BLACKSTONE & MARR, LTD.

105 West Adams Street, 36th Floor

Chicago, Illinois 60603-6299

Tel: (312) 704-1890

Serial No.: 09/642,538

Art Unit: 2622

Page 14